

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of

Robin J. Guthrie

Docket No.: C-2480

Serial No.: 10/816,403

Art Unit: 1795

Filed: April 1, 2004

Examiner: Keith D. Walker

Title: Fuel Cell Reactant Flow Fields That
Maximize Planform UtilizationI hereby certify that this correspondence is being
facsimile transmitted to the United States Patent and
Trademark Office (Fax No. 571-273-8300) on

April 8, 2008

Barbara Cecere

REQUEST FOR RECONSIDERATIONCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Request is in response to the Office Action dated December 10, 2007, as modified by the Advisory Action dated March 6, 2008. Claims 1-5 and 7-9 remain for consideration.

A Petition for a One Month Extension of Time is provided herewith. An RCE is provided herewith.

Withdrawal of the 112-1 and 112-2 rejections (Advisory Action, box 5) is noted with gratitude. Claim 5 is no longer rejected.

Claims 1, 2 and 6-9 are rejected as anticipated by Fujii. Claim 6 was previously cancelled.

Enclosed is a Declaration of Robin J. Guthrie made under penalty of perjury; the Declaration refers to and relies on a document of the U.S. government: the Fujii patent itself. Two paragraphs in the Declaration summarize or draw an obvious conclusion from the facts in previous paragraphs extricated from Fujii.

Paragraphs 7-11 of the Declaration establish as prima facie fact that longitudinal flow of claim 1, line 4 is horizontal (arrow B) in Fujii, and that transverse portions of claim 1, line 8 are vertical (arrow A) in Fujii. Paragraphs 7-18 of the Declaration establish as prima facie

fact that **EACH** horizontal channel of Fujii does **NOT** have a transverse (vertical) channel in fluid communication with inlet and/or outlet portions called for in lines 8-11 of claim 1.

Paragraphs 19-21 of the Declaration establish as prima facie fact that there is **NO** construction (no interpretation) of Fujii that has "some, but less than all of said transverse portions having more than one groove" as called for in line 13 of claim 1.

The Declaration thus shows two structural differences established by the plain context of Fujii, summarized in paragraphs 18 and 21 of the Declaration, that preclude anticipation of claim 1 by Fujii.

Therefore, reconsideration and allowance of claims 1, 2 and 7-9 over Fujii is respectfully requested.

2,3. Claims 3 and 4 are rejected as obvious over Fujii in view of two other references, neither of which disclose, with Fujii, the subject of claims 3 and 4. Applicant's prior responses to these rejections are incorporated here by reference. Claims 3 and 4 are patentable as depending from claim 1, which is clearly patentable. Therefore, reconsideration and allowance of claims 3 and 4 is respectfully requested.

To save the Examiner considerable time when this case is taken up, a short phone call is recommended should any issue herein still be unresolved. A few minutes on the phone could clarify a point, or result in a supplemental response which would further limit or dispose of issues. A five minute phone call can save the Examiner a lot of work. Such a phone call would be deeply appreciated.

Respectfully submitted,



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